

REMARKS

Applicants understand that the Preliminary Amendment Under 37 C.F.R. § 1.115, filed on October 21, 2005, was entered into the record, and claims 1-39 are pending in the application. These claims are subject to a restriction requirement. Claims 2 and 19 have been amended to render their terminology explicitly consistent with the application, considered as a whole, e.g., claims 1, 4, 5, 18, 21 and 22, and the specification. No new matter is introduced by these amendments.

Restriction Requirement

In the restriction requirement, it was requested that Applicants select one of the following group of claims under 35 U.S.C. §1.121 for prosecution:

Group I, Claims 1-17 and 35, drawn to a method for cleaving a fusion protein using a Granzyme B polypeptide.

Group II, Claims 18-32, drawn to a fusion protein comprising a cleavage site for a Granzyme B polypeptide.

Group III, Claims 33 and 34, drawn to a Granzyme B polypeptide.

Group IV, Claims 36-39, in part, drawn to a polynucleotide encoding a fusion protein comprising a cleavage site for a Granzyme B polypeptide.

Group V, Claims 36-39, in part, drawn to a polynucleotide encoding a Granzyme B polypeptide.

Also, it was alleged that the application contains claims directed to the following patentably distinct species of the inventions and requested that Applicants elect one of the species.

If Group I is elected, it was requested that Applicants elect one of the recognition sites listed in Claims 2-5, and one of the following:

wherein the Granzyme B enzyme is:

(A) Human Granzyme B

- (B) Mouse Granzyme B
- (C) Rat Granzyme B
- (D) SEQ ID NO: 57 with a Cys²²⁸ Phe mutation *.

If Group II is elected, Applicants were requested to elect one of the recognition sites listed in Claims 18-22, and one of the following:

wherein the fusion protein is the polypeptide of:

- (E) SEQ ID NO: 2
- (F) SEQ ID NO: 3
- (G) SEQ ID NO: 5
- (H) SEQ ID NO: 6
- (I) SEQ ID NO: 7
- (J) SEQ ID NO: 8

and one of the following:

wherein the Granzyme B is the polypeptide of :

- (K) Human Granzyme B with a Cys²²⁸ Phe mutation
- (L) SEQ ID NO: 57.

If Group III is elected, Applicants were requested to elect one of the following:

wherein the Granzyme B is the polypeptide of:

- (M) Human Granzyme B with a Cys²²⁸ Phe mutation
- (N) SEQ ID No: 57.

If Group IV is elected, Applicants were requested to elect one of the recognition sites listed in claim 19.

Applicants elect without traverse the following Group of claims, recognition site and Granzyme B enzyme for prosecution:

* It was noted that SEQ ID NO: 57 has only 227 residues.

Group I, claims 1-17 and 35;
the recognition site of Claim 2; and
the Granzyme B enzyme which is Human Granzyme B.

Applicants were also required to identify claims encompassing the elected invention.
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Applicants submit that Claims 1- 17 and 35 encompass the elected invention.

II. Request for Allowance

Applicants respectfully submit that all claims are in condition for allowance, an indication of which is solicited.

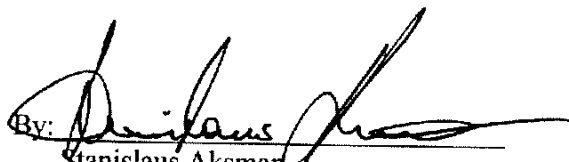
In the event any outstanding issues remain, Applicants would appreciate the courtesy of a telephone call to the undersigned Applicants' representative to resolve such issues in an expeditious manner and place the application in condition for allowance.

Applicants believe that no fees are necessary with this filing. Nonetheless, if any fees are associated with this filing, please charge such fees to Deposit Account Number 50-2478.

Respectfully submitted,

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